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JENS E. HOEKENDIJK
265 San Anselmo Avenue
San Francisco, CA 94127
(415) 412-3322

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ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
Washington, DC 20231

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231, Attn: Box Patent Application

By: 
Lori M. Cummings

Sir:

Transmitted herewith for filing under 37 CFR §1.53(b) is the continuation patent application of co-pending application Serial No. 09/614,991 filed July 12, 2000 which is a continuation-in-part of application no. 09/507,336 filed February 18, 2000 which is a continuation-in-part of application no. 09/356,476, filed July 19, 1999, which is a continuation-in-part of application no. 09/157,824, filed September 21, 1998, which is a continuation-in-part of application no. 08/943,683, filed October 15, 1997, which is a continuation-in-part of application no. 08/735,036, filed October 22, 1996.

Inventor(s): Benjamin Pless; Scott C. Anderson; Jonathan L. Podmore; Matthias Vaska; John E. Crowe; Roxanne L. Richman; Timothy Ciciarelli; David A. Gallup and Jack E. Ulstad, Jr.

For: **APPARATUS AND METHOD FOR ABLATING TISSUE**

Application Elements:

- ☒ Specification (62 pages); 114 claims on pages 47-61; Abstract of the Disclosure.
- ☒ Fifty-seven (57) sheets of formal drawings.
- ☒ Copy of Oath or Declaration from a prior application (37 CFR 1.63(d)) with Power of Attorney.
- ☒ Incorporation By Reference: the entire disclosure of the prior application, from which a copy of the Oath or Declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ The prior application is assigned of record to: EPICOR, INC. (copy enclosed).
- ☒ Copy of the verified Statement to Establish Small Entity Status from the prior application.
- ☒ Power of Attorney by Assignee from the prior application.
- ☒ Preliminary Amendment

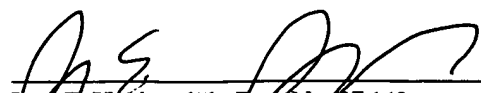
The filing fee has been calculated as shown below:

	NO. FILED		NO. EXTRA	SMALL ENTITY RATE	FEES
TOTAL CLAIMS	52-20 =	-	32	x09	\$288
INDEP. CLAIMS	3-3 =	-	0	x40	\$ -----
BASIC FEE				\$355	\$355
TOTAL					\$643.00

Enclosed is a check to cover the following fees:

- ☒ The filing fee of \$355.00.
- ☒ The total cost of excess claims in the amount of \$288.00
- ☒ Any additional fees or credit any overpayment to Deposit Account No. 50-1247 during the pendency of this application.
- ☒ 2 copies of this sheet are enclosed.

Respectfully submitted,


Jens E. Hoekendijk, Reg. No. 37,149
Attorney for Applicant

Telephone: (415) 412-3322
Facsimile: (415) 753-3516

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))- SMALL BUSINESS CONCERN**

Applicant or Patentee: **Benjamin Pless, Scott C. Anderson, Jonathan L. Podmore, Matthias Vaska, John E. Crowe, Roxanne L. Richman, Timothy Ciciarelli, David A. Gallup and Jack E. Ulstad, Jr.**

Application No.: **09/614,991**

Filed Or Issued: **July 12, 2000**

Title: **APPARATUS AND METHOD FOR ABLATING TISSUE**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: **EPICOR, INC.**

ADDRESS OF SMALL BUSINESS CONCERN: **240 Santa Ana Court
Sunnyvale, CA 94085**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: **APPARATUS AND METHOD FOR ABLATING TISSUE** by inventors **Benjamin Pless, Scott C. Anderson, Jonathan L. Podmore, Matthias Vaska, John E. Crowe, Roxanne L. Richman, Timothy Ciciarelli, David A. Gallup and Jack E. Ulstad, Jr.**, described in the specification filed on July 12, 2000 and identified as U.S. Patent Application No. 09/614,991.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

TITLE OF PERSON IF OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING:

Matthias Vaska

Vice President, Research

240 Santa Ana Court

Sunnyvale, CA 94085

Date:

9/14/00

Signature:

